



News Release

For Immediate Release:
Monday, December 20, 2004

UDOH Child Care Licensing to Implement New Inspection Process

New Process Helps Child Care Providers Improve Care

(Salt Lake City, UT) – The Utah Department of Health (UDOH), Office of Child Care Licensing (OCCL) will implement a new process for licensors to follow when inspecting child care providers throughout Utah. The new process focuses on providing technical assistance to augment the inspections and enforcement process. The process has been streamlined to better help providers come into compliance with all health and safety regulations and to improve communication between the child care community and the UDOH.

In the next week, more than 2,600 child care providers will be sent a letter explaining the changes in their annual and complaint inspections. The UDOH has trained 26 licensing specialists who work throughout the state to follow the new process beginning January 3.

In an effort to continually improve the licensing process, various groups provide input to the UDOH, such as: the Child Care Licensing Advisory Committee, parents of children in daycare, licensing specialists, and child care owners and operators. As a result of this feedback, and following on discussions with the Legislature's Administrative Rules Committee, the new changes are intended to make inspections more helpful, efficient and less time consuming for providers. Using child safety and quality improvement models as guides, effective January 2005, the OCCL will work with providers in the following manner:

- Every provider will receive an announced and scheduled site inspection once a year from OCCL. The purpose of this visit is to provide a systematic review of the provider's operational policies and procedures pertaining to health, fire, food, safety, construction, etc.

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- When discrepancies are found between the OCCL's regulatory standards and the provider's practice, the findings will be given to the provider. Generally, the provider will have 30 days to correct the discrepancies and come into compliance with state regulations. However, if there are serious or "immediate jeopardy" violations observed then the licensing specialist would issue a violation on site.
- Following the announced visit, an unannounced, unscheduled verification site visit will follow to determine if corrections have been made and to inspect the facility for High Risk Harm (HRH) areas. These HRH areas include, but are not limited to, child to adult ratios, group sizes, accessible chemicals, and child supervision practices.
- If during this verification site visit it is found that the corrections have not been made or HRH areas exist, the child care facility will be considered out of regulatory compliance. In such cases, a plan of correction and date of correction will be mutually agreed upon between the licensing specialist and child care provider and a written statement of findings will be mailed.
- After the agreed upon date, the licensing specialist will make another unannounced verification site visit to determine compliance.
- If the child care facility is continually out of compliance there will be a graduated process of enforcement with the goal of providing adequate due process to providers to challenge and resolve disagreements.

Beginning in 2005, the OCCL will also change the way anonymous complaints are handled. Complaints are either anonymous, confidential or known in terms of the identity of the person who makes the complaint (complainant). Past experience with anonymous complaints indicates that a lack of information from complainants may interfere with the OCCL's ability to adequately investigate the complaint. In addition, relatively few anonymous complaints were ever substantiated.

Some of the problems associated with anonymous complaints from the previous process include the inability to: clarify information, follow-up on conflicting information, report back to the complainant, or determine if the complainant has any conflict of interest with the provider.

The new process intends to resolve these difficulties. OCCL will encourage complainants to be confidential or known, not anonymous. If a complainant chooses to remain anonymous, they will be told that the information will be noted in the file for reference at the next regular inspection and, where indicated, referred to the appropriate law enforcement or child protection agency.

“The child care health and safety standards and rules have not changed; what we are changing is the manner in which we interact with child care providers as they work to adopt current standards,” says Iona Thraen, Division Director, Health Systems Improvement, UDOH.

Scheduling inspections should assist providers to get organized and prepare the necessary documentation on an annual basis. This will also make it easier for licensors to thoroughly analyze the facilities capacity to provide adequate care. It’s a friendlier process because no deficiencies are written up at the announced survey unless “immediate jeopardy” is occurring.

“Parents who take their children to child care can observe the quality and safety their child care provider offers every day,” says Thraen. “Parents need to judge whether or not the quality of care measures up to their standards of quality. State regulations play only a partial role in assuring minimum health and safety standards. If parents feel the care being delivered to their children does not meet their standards, they should discuss their expectations or concerns with their provider.”

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